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STATE OF TENNESSEE
DEPARTMENT OF FINANCE AND ADMINISTRATION
DIVISION OF MENTAL RETARDATION SERVICES
ANDREW JACKSON BUILDING, 15TH FLOOR
500 DEADERICK STREET
NASHVILLE, TN 37243

MEMORANDUM

DATE: June 8, 2007

TO: Kathleen Clinton
John Craven
C.J. McMorran

FROM: Stephen H. Norris
Deputy Commissioner *[Signature]*

SUBJECT: Clarification Regarding Vehicle Accessibility Modifications

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A number of questions have arisen regarding Vehicle Accessibility Modifications. This memo clarifies the amended waiver service definition and requirements.

The Home and Community Based Services (HCBS) waivers define Vehicle Accessibility Modifications as interior or exterior physical modifications to a vehicle owned by the service recipient or to a vehicle which is owned by the guardian or conservator and which is routinely available for transport of the service recipient. Vehicle Accessibility Modifications, which must be for the purpose of increasing accessibility for entrance into and exit from the vehicle or to ensuring transport in a safe manner, can not be used to pay for replacement of tires or brakes, oil changes, and other vehicle maintenance or repair.

There have been a number of requests to bill the HCBS waiver for Vehicle Accessibility Modifications for modifications that were made to a vehicle before ownership of the vehicle was established. Vehicle Accessibility Modifications funding can not be used as part of the purchase price of a vehicle that has already been modified or that will be modified as part of the purchase price.

Before Vehicle Accessibility Modifications funding can be authorized, the following requirements must be met:

- (1) The requested modifications must meet the current waiver service definition of Vehicle Accessibility Modifications, including service limits.
- (2) The Vehicle Accessibility Modifications must be included in an Individual Support Plan that was approved by the DMRS Regional Office before the modification was made. Retroactive approvals are not allowed.
- (3) The vehicle must be **owned** by the service recipient, guardian, or conservator **before** the modification is made. There must be documentation of ownership (e.g., a copy of the title, a signed and dated copy of the bill of sale). A down payment or deposit on a vehicle is not acceptable as proof of ownership. Providers of Vehicle Accessibility Modifications are not permitted to create separate invoices – one for the cost of the vehicle and one for the Vehicle

Accessibility Modifications – for vehicles that have already been modified in an attempt to bypass the requirement for ownership. Such action would be grounds for revocation of the DMRS/TennCare provider agreement. Proof of ownership is required **before** the Vehicle Accessibility Modifications can be authorized.

Payment for Vehicle Accessibility Modifications provided in accordance with the requirements stated above is considered to be payment in full (i.e., the provider is not permitted to bill the service recipient, guardian, or conservator for any portion of the Vehicle Accessibility Modifications).

Please distribute this memo to the Regional Administrative Services Directors, Regional Therapeutic Services Coordinators, and other appropriate staff and to providers.

If you have any questions, you may contact Ms. Holly Wood, Provider Manager for the Clinical Unit. Her telephone number is (615) 253-8338, and her e-mail address is holly.wood@state.tn.us.

Sincerely,

Stephen H. Norris
Deputy Commissioner

SHN/wlm

cc: Larry Latham, Ph.D.
Joanna Damons, R.N.
Fred Hix
Holly Wood
Louis Moore, M.D.
Pat Nichols
Karen Carothers